



SALT ORDINANCE, No. 36 OF 1925.

James F. L.
High Commissioner

This sixteenth day of November, one thousand nine hundred and twenty-five.

GOVERNMENT OF PALESTINE.

SALT ORDINANCE.

No. 36 of 1925.

An Ordinance to provide for the regulation of the
Government Monopoly of Salt.

WHEREAS the Ottoman Government ceded the monopoly of salt to the Administration of the Ottoman Public Debt, and issued various enactments concerning the monopoly,

AND WHEREAS the Administration of the Ottoman Public Debt is now abolished in Palestine and its functions have been taken over by the Government, and it is desirable to replace the Ottoman enactments,

BE IT ENACTED by the High Commissioner for Palestine, with the advice of the Advisory Council thereof:

1. This Ordinance may be cited as the Salt Ordinance 1925. Short Title.

2. The following terms shall, for the purpose of this Ordinance, have the meanings set forth below. Definitions.

“Collect” in connection with salt includes the extraction and production of salt by any means.

“Customs Authority” includes any Officer of Customs and Excise and any person acting under his authority.

“Means of Conveyance” includes any animal, vehicle, vessel, aircraft or other form of transport on or in which salt is conveyed by land, water or air.

“Territorial waters” means that part of the open sea adjacent to the coast of Palestine which is within three nautical miles measured from low water mark.

“Vessel” includes any ship, lighter, or boat, or any other description of craft used in navigation.

Licence for the collection and manufacture of salt.

3. (1) No person shall collect or attempt to collect, or manufacture or attempt to manufacture, salt by any process whatsoever anywhere in Palestine unless he has obtained from the High Commissioner a licence authorising him to do so. The licence shall be subject to such conditions as the High Commissioner may think fit in each case.

(2) The holder of a licence to collect or manufacture salt shall not dispose of any salt except to the Government of Palestine or to a person licensed by the Government.

(3) It shall be unlawful for any person to be in possession of salt which has been collected or manufactured in Palestine otherwise than in accordance with a licence granted in pursuance of this Section.

Penalties for collection etc., without licence.

4. Any person who shall collect or manufacture or attempt to collect or manufacture salt without a licence, or shall be in possession of salt so collected or manufactured or shall knowingly conceal or assist in concealing any salt so collected or manufactured, or shall be concerned in the removal thereof, shall be punishable with a fine not exceeding £E. 20 in respect of each offence, and P.T. 50 in respect of each kilogram of salt or part thereof which is seized, and in default of payment, with imprisonment for a term not exceeding two years. Salt so seized, shall be confiscated. The same penalties shall apply to the occupier of any premises upon which salt is illegally manufactured.

Retailer to purchase only from or through Government.

5. No retailer of salt shall purchase salt collected or manufactured in Palestine except from the Government of Palestine or from a person who produces satisfactory evidence that he has purchased the salt from the Government or that he is licensed to manufacture or sell such salt on behalf of the Government.

Excise Duty.

6. An excise duty, at such rate as the High Commissioner may from time to time prescribe by Order published in the Official Gazette, shall be payable in respect of all salt manufactured or collected in Palestine, other than manufactured salt exported direct by the manufacturer.

Power to fix maximum selling price of salt.

7. The High Commissioner may from time to time prescribe by Order in the Official Gazette the maximum retail price at which salt may be sold in Palestine or in any district or part of a district. Any person who sells salt at a price exceeding the prices so prescribed shall be punishable with a fine not exceeding L.E. 50.

8. (1) No person shall import salt into Palestine unless he has obtained from the Customs Authority a licence for such import. The duty payable on import shall be at the rate prescribed by the Customs tariff in force from time to time.

Licence for
importation
of salt.

(2) Salt shall be imported only at places of entry prescribed by Regulations made under this Ordinance.

9. (1) Any Officer of Customs and Excise, or Police, may at any time without a warrant

Right of
inspection and
search.

(a) enter upon and search any premises licensed for the collection or manufacture of salt;

(b) enter upon and search any premises or places if he has reason to believe that salt is being manufactured, possessed or sold therein contrary to the provisions of this Ordinance;

(c) inspect and search any means of conveyance or any load carried by a person or beast of burden which is suspected to contain contraband salt;

(d) board and search in a port, or within territorial waters, or in inland waters, any vessel suspected of carrying salt with the intention of smuggling;

(e) inspect any licence or permit issued under this Ordinance;

Provided that the right to enter and search under this Section shall not be exercised in respect of a dwelling house unless a warrant for that purpose shall first have been obtained from a Magistrate.

(2) Any person who resists an officer in the execution of his duty under this Section shall be liable to a fine not exceeding L.E. 50 or to imprisonment for a term not exceeding six months, or to both these penalties.

10. For the purpose of this Ordinance the following shall be contraband:

Contraband.

(a) any salt brought within territorial waters except under a licence to import;

(b) any salt imported or in process of importation into Palestine except under a licence to import and at a prescribed place of entry;

(c) any salt in respect of which the excise or import duty has not been paid;

(d) any salt in the possession of a retailer which has been obtained contrary to the provisions of this Ordinance.

Penalties for possession or carriage of contraband salt.

11. Any person who is found in possession of contraband salt shall be punishable with a fine of P.T. 5 in respect of every kilogram of such salt in his possession, and the salt shall be confiscated. In the case of a second offence he shall be liable in addition to imprisonment for a term not exceeding six months. Further any vessel not exceeding 250 tons register or any means of conveyance made use of in the importation, removal or transport of contraband salt may be seized or detained by the Customs Authority or any Police Officer, and may be confiscated by order of the Court. Provided that the owner of a vessel exceeding 250 tons register which would be liable to confiscation if the vessel were less than 250 tons shall be liable to a fine not exceeding L.E. 500 and the vessel may be detained until the fine is paid or security is given for the payment.

Grant of reward.

12. The High Commissioner may order to be paid in respect of any seizure of salt made under this Ordinance such reward as he may think fit to the person or persons making the seizure or giving such information as has led to the conviction of the offender or to the composition of an offence as hereinafter set out; provided that in no case shall a reward exceeding the sum of £E. 100 be paid to any one person except by the direction of one of His Majesty's Principal Secretaries of State.

Power to compound offences.

13. (1) The Director of Customs and such other officers as may be designated in that behalf from time to time by the High Commissioner may compound for a pecuniary payment, to be determined by the Director or such officer, any offence or act committed or done or reasonably suspected of being committed or done in contravention of this Ordinance for which the maximum fine does not exceed £E. 100.

(2) On payment of such sum to the Director of Customs or such other officer as may be authorised, the person accused if he is in custody shall be discharged and no further proceedings shall be taken against him.

(3) The Director of Customs shall not release or restore any salt seized on account of an offence under this Ordinance either as a condition of the composition of the offence or otherwise.

(4) Every composition shall be recorded in writing and shall state clearly the offence or suspected offence in respect of which it is made.

14. If in any prosecution in respect of any salt seized for nonpayment of excise duty or for contravention of the terms of this Ordinance a dispute shall arise as to whether the duty has been paid or the salt has been lawfully collected, or manufactured, or possessed, the burden of proof thereof shall be upon the defendant. **Burden of proof**

15. The High Commissioner may make and when made may vary or revoke Regulations regarding :- **Regulations.**

(a) the manner of application for and the issue, form, and conditions of licences under this Ordinance;

(b) the books and registers to be kept and the returns to be rendered by holders of licences;

(c) the regulation, control and management of premises licensed for the collection or manufacture of salt;

(d) the method of collection of excise duty;

(e) the sale of salt collected or manufactured in Palestine;

(f) the places at which salt may be imported into Palestine;

(g) any other matter requiring regulation under this Ordinance.

16. Any Ottoman Laws, Regulations, and Decrees concerning the monopoly of Salt shall no longer have effect in Palestine. **Ottoman Laws not to apply.**

16th November, 1925.

PLUMER, F. M.
High Commissioner.